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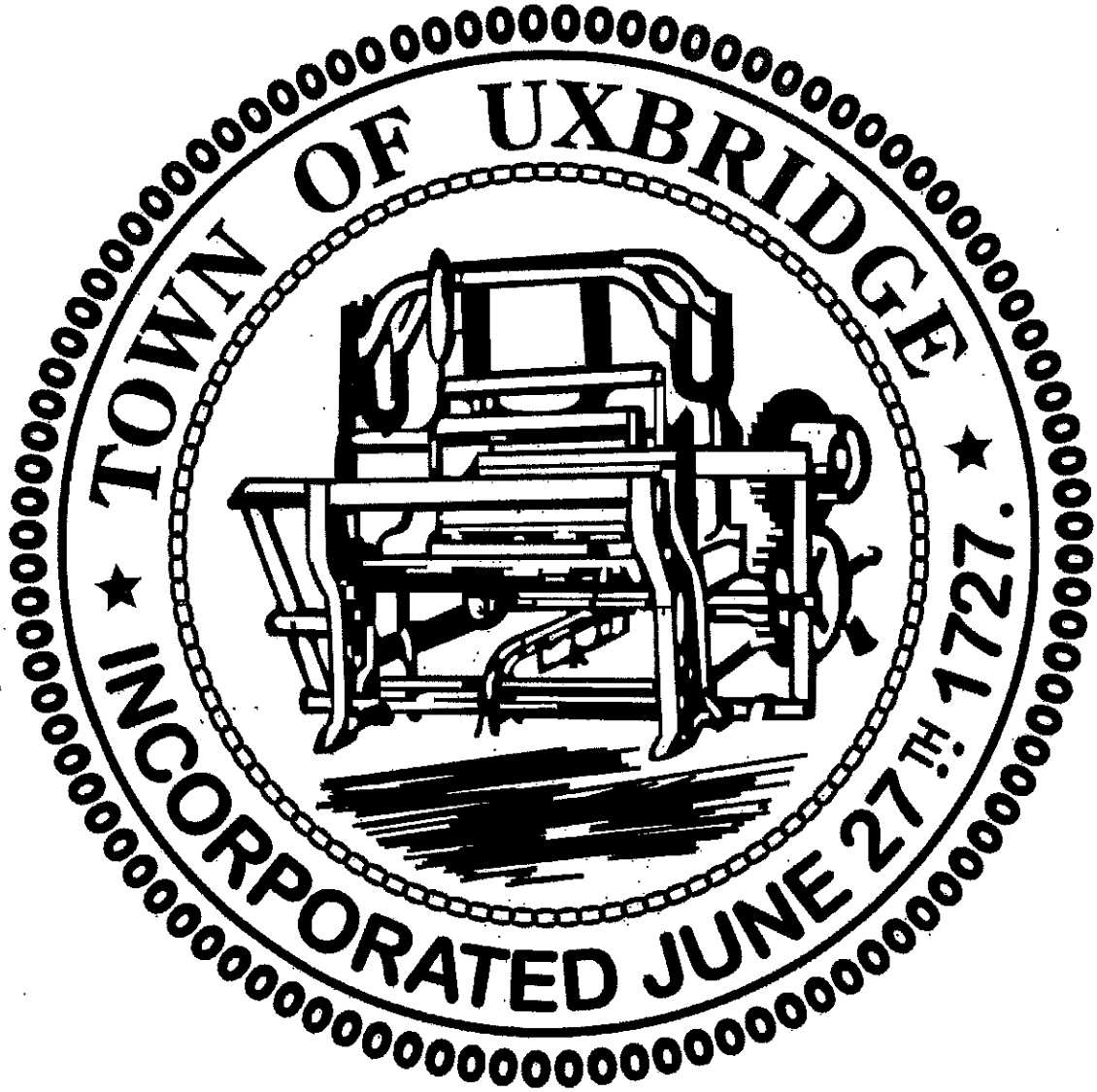
Posted by
Uxbridge
Town Clerk



SPECIAL TOWN MEETING WARRANT

SATURDAY, APRIL 2, 2016 – 9:00 AM
UXBRIDGE HIGH SCHOOL AUDITORIUM & GYMNASIUM
300 QUAKER HIGHWAY, UXBRIDGE, MASSACHUSETTS

SPECIAL TOWN MEETING WARRANT

SATURDAY, APRIL 2, 2016 – 9:00 AM
UXBRIDGE HIGH SCHOOL AUDITORIUM & GYMNASIUM
300 QUAKER HIGHWAY, UXBRIDGE, MASSACHUSETTS

WORCESTER, S.S.
TO EITHER OF THE CONSTABLES OF THE TOWN, IN SAID COUNTY;
GREETINGS:
IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, YOU ARE DIRECTED TO NOTIFY THE INHABITANTS OF THE TOWN OF UXBRIDGE, QUALIFIED TO VOTE IN THE TOWN ELECTIONS AND IN TOWN AFFAIRS, TO MEET AT THE HIGH SCHOOL AUDITORIUM, IN PRECINCT 3, IN SAID UXBRIDGE, ON THE FOLLOWING ARTICLES TO WIT:

ARTICLE 1: BORROWING AUTHORIZATION – WASTEWATER TREATMENT FACILITY UPGRADES CONSTRUCTION

To see if the Town will vote to appropriate a sum of money for the construction of Wastewater Treatment Facility Upgrades; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; and to take any other action relative thereto.

SPONSOR: DPW Director

Commentary: *The DPW has applied for State Revolving Fund (SRF) monies to assist in the funding of the implementation of the Comprehensive Wastewater Management Plan recommendations. Upgrades at the wastewater treatment facility (WWTF) and West River Pump Station are required for compliance with the USEPA NPDES Discharge Permit. Passage of this article will allow the Town to better position ourselves for 2.40% and 0% loan funding through the SRF program and the Water Pollution Abatement Trust.*

MOTION: ***Move that the Town vote to appropriate the sum of $44,800,000 for the purpose of financing the construction associated with the implementation of the Comprehensive Wastewater Management Plan recommendations including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as amended; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow $44,800,000 and issue bonds or notes therefor under Chapter 44 of the General Laws or any other applicable general or special law and/or Chapter 29C of the General Laws, as amended; that such bonds or notes shall be issued as general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local wastewater system revenues as defined in Section 1 of Chapter 29C, as amended; that the Treasurer with the approval or any other enabling authority of the Selectmen is authorized to borrow all or a portion of such amount pursuant to***

Chapter 44 or any other enabling authority, or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as amended; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

BOARD/COMMITTEE RECOMMENDATIONS WILL BE PRESENTED AT TOWN MEETING

VOTE NEEDED: A borrowing authorization requires a 2/3rds vote per MGL Ch44 §7.

ARTICLE 2: AMEND THE ZONING BYLAWS, APPENDIX A, TABLE OF USE REGULATIONS AND APPENDIX B, TABLE OF DIMENSIONAL REQUIREMENTS

To see if the Town will vote to:

Item 1

Amend the Zoning Bylaws, Article III, Use Regulations, Section 400-10 Use Regulations, § 400-10 Section D 6, by deleting "350 megawatts" and replacing it with "one gigawatt"

Item 2

Amend the Zoning Bylaws, Article VI, Special Nonresidential Regulations, §400-20, Section B, 5 by deleting "Electrical generating facilities with a capacity of 350 megawatts or less" and replacing it with "Electrical generating facilities with a capacity of a nominal 1 gigawatt or less" and by further amending this section by deleting "the Planning Board shall not issue special permits for more than two electrical generating facilities in the Town or for a combined production capacity of more than 500 megawatts in total" and replacing it with "the Planning Board shall not issue special permits for more than two electrical generating facilities in the Town or for a combined production capacity of a nominal 2 gigawatts in total or facilities whose primary or secondary power is coal or wood"

Item 3

Amend the Zoning Bylaws, Article X, Definitions, by adding the following definition "Electrical Generating Facility: An industrial facility for the generation of electricity powered by one or more fuel sources, including without limitation cogeneration power stations, and which is sometimes referred to as a generating station, power plant, powerhouse or generating plant, among other names."

Item 4

Amend the Zoning Bylaws, Appendix A, Table of Use Regulations, Section E, Industrial Uses by deleting in its entirety "Electrical generating facilities with a capacity of 350 megawatts or less on a minimum site area of 15 acres using natural gas, renewable and ultra low sulfur fuels, wind" and replacing it with "Electrical generating facilities with a capacity of a nominal 1

gigawatts or less on a minimum site area of 15 acres using natural gas and/or ultra low sulfur fuels"

Table of Uses

R-A	R-B	R-C	A	B	I
N	N	N	N	N	PB

Item 5
Amend the Zoning Bylaws, Appendix A, Table of Use Regulations, Section E, Industrial Uses by deleting in its entirety "Electrical generating facility; cogeneration facility".

Item 6
Amend the Zoning Bylaws Article IV, Dimensional and Bulk Requirements §400-13, Section B, by inserting the following subsection:

2. no building or portion thereof or other structure of any kind shall exceed the heights permitted for buildings under Appendix B, Table of Dimensional Requirements except any structure or projection not used for human habitation and not permitted by the above, provided that it is authorized for that height by special permit from the Planning Board, upon determination by the Board that the proposed height is functionally important for the use, and that the structure or projection and its use will not result in threats to health, safety or visual compatibility;

   and renumber existing subsections 2 and 3 as subsections 3 and 4.

Item 7
Amend the Zoning Bylaws, Appendix B, Table of Dimensional Requirements by adding a footnote to the Industrial Zoning District, Maximum Height, Maximum Stories, the following: "5. Except any structure or projection not used for human habitation and not permitted by the above, provided that it is authorized for that height by special permit from the Planning Board, upon determination by the Board that the proposed height is functionally important for the use, and that the structure or projection and its use will not result in threats to health, safety or visual compatibility."
SPONSOR: Town Manager
Commentary: *The Town has been approached with an opportunity to site a 1 gigawatt electricity generating facility on a parcel of land in South Uxbridge. Currently, the zoning bylaws allow for the construction of up to two of these facilities, through the Planning Board's Special Permit process, as long as the maximum output of any single facility is 350 megawatts and the combined total output of both facilities is no more than 500 megawatts.*

This article, as written, seeks to amend the zoning bylaws to allow construction of up to two electrical generating facilities with a capacity of a nominal 1 gigawatt or less each on property that is zoned industrial. The proposed bylaw changes impose height restrictions as part of the special permit process; prohibits wood or coal as primary or secondary fuel sources; and more accurately defines the term electric generating facility in addition to allowing for higher generation facilities.

BOARD/COMMITTEE RECOMMENDATIONS AND A MOTION ON THE ARTICLE WILL BE PRESENTED AT TOWN MEETING.
VOTE NEEDED: Zoning bylaw amendments requires a 2/3rds vote per MGL Ch. 40A, §5.

ARTICLE 3: AMEND THE ZONING MAP

To see if the Town will vote to amend the Town of Uxbridge Zoning Map by re-zoning from "Residential C" to "Industrial" the following parcel of land situated on the southwesterly side of Millville Road, Uxbridge, Massachusetts, containing 227 acres, more or less, being more particularly bounded and described as follows:

Beginning at a point on the centerline of said Millville Road, at station 61 + 61.30, as shown on the State Highway layout dated May 24, 1955, recorded at Worcester District Registry of Deeds, Plan Book 206, Plan 55;

Thence Southerly and Southeasterly, a distance of 3,661.30 feet, following the centerline of said Millville Road, to a point at station 25 + 0.00, as shown on State Highway layout dated January 7, 1958, recorded in Plan Book 230, 29;

Thence Due South, a distance 1, 466 feet, more or less, to the centerline of the Blackstone River;

Thence Southwesterly, Westerly, Northwesterly, and Northerly, a distance of 6,270 feet, more or less, following the centerline of said Blackstone River, to a point opposite the southwesterly corner of the land shown as Lot 8 on Worcester Registry District Plan 2036B;

Thence Easterly, a distance of 50 feet, more or less, to said southwesterly corner of said Lot 8;

ThenceNortheasterly, a distance of 250 feet, more or less, to the point of beginning.

Or take any other action related thereto.

SPONSOR: Town Manager

Commentary: *This article seeks to amend the zoning map to allow construction of electrical generating facility with a capacity of a nominal 1 gigawatt or less at 275 Millville Road..*

BOARD/COMMITTEE RECOMMENDATIONS AND A MOTION ON THE ARTICLE WILL BE PRESENTED AT TOWN MEETING.
VOTE NEEDED: Requires a 2/3rd's Majority per MGL c. 40A, §5.

* * * * *

And you are directed to serve this warrant by posting up attested copies thereof, one at the Town Hall, one at DPW, one at the Uxbridge Post Office, one at the North Uxbridge Post Office and one at the Linwood Post Office, at least fourteen (14) days before the time of holding said meeting, in accordance with M.G.L. Chapter 39, Section 10.

Hereof, fail not and make due return of this warrant, with your doings thereon, to the Town Clerk at the time of the meeting aforesaid.

Given under our hands this day 16th of March in the year 2016.

Uxbridge Board of Selectmen:

Jennifer Modica, Chair

Jeff Shaw, Vice Chair

Jim Hogan, Clerk

Peter Baghdasarian, Selectman

Lance Anderson, Selectman

A True Copy – Attest:

Constable, Town of Uxbridge

3-17-16
Date